



RESOLUTION

APPROVING FOR INCLUSION IN THE 2013 HAWAII STATE ASSOCIATION OF COUNTIES ("HSAC") LEGISLATIVE PACKAGE A PROPOSAL THAT REQUIRES ALL FOOD PRODUCTS OR RAW AGRICULTURAL COMMODITIES THAT CONTAIN GENETICALLY ENGINEERED MATERIAL OR PRODUCED WITH A GENETICALLY ENGINEERED MATERIAL BE LABELED IN THE STATE OF HAWAII.

WHEREAS, since their commercial introduction in 1996, crops containing genetically modified organisms (GMOs), have been put into widespread production by growers in the United States and around the world; and

WHEREAS, despite the alleged claim of benefits through agricultural biotechnology, there are also significant public concerns about the possible negative impacts of GMOs on public health, the environment and the economy; and

WHEREAS, specific concerns about GMOs include the introduction of allergens and toxins into food stuffs, reduction of the nutritional content of food products, and contamination of non-genetically engineered crops; and

WHEREAS, over 50 countries around the world, including countries of the European Union, Australia, New Zealand, Japan, and China, require labeling of genetically engineered food; and

WHEREAS, a number of the most widely planted crops in the world contain GMOs, such as, soybeans, cotton, rice and corn; and

WHEREAS, GMOs are present in many processed foods consumed on a daily basis, such as, carbonated drinks, breakfast cereals and other popular snack products; and

WHEREAS, food companies are not required to label their products as containing GMOs in the state of Hawaii; and

WHEREAS, a poll conducted by the University of Hawaii's College of Tropical Agriculture and Human Resources shows that seventy-two percent of Hawaii's residents feel that it is very important that genetically modified food be labeled; and

WHEREAS, indicating the presence of GMOs through food labeling enables food consumers to make informed decisions about the food being purchased and ingested; and



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WHEREAS, mandatory labeling of genetically engineered food:

- (1) Would meet the demand of Hawaii's residents for informed choice concerning the food they consume; and
- (2) Could be implemented at a minimal cost to food producers and the government;

now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves for inclusion in the 2013 Hawaii State Association of Counties legislative package a proposal, attached as Exhibit A, that requires all food products or raw agricultural commodities that contain genetically engineered material or produced with a genetically engineered material be labeled; and



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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the President of the Hawaii State Association of Counties.

INTRODUCED BY:

TOM BERG

DATE OF INTRODUCTION:

AUG 01 2012

Honolulu, Hawaii

Councilmembers

2012 AUG 1 11:30 AM

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CITY CLERK
C & C OF HONOLULU

EXHIBIT A

____.B. NO.____

A BILL FOR AN ACT

RELATING TO FOOD LABELING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 328, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§328- Genetically engineered material; labeling
5 requirement. (a) Beginning January 1, 2014, no food product or
6 raw agricultural commodity that contains genetically engineered
7 material or was produced with a genetically engineered material
8 shall be sold, offered for sale, or distributed in the State,
9 unless the following statement is printed on the packaging of
10 the food product or on a disclosure notice posted in a
11 conspicuous place in proximity to the food product in bold face
12 print and no less than ten-point type:

13 "THIS PRODUCT CONTAINS A GENETICALLY ENGINEERED FOOD
14 PRODUCT OR WAS PRODUCED WITH A GENETICALLY ENGINEERED
15 MATERIAL."

16 (b) As used in this section:

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1 "Food product" means any raw or processed material or any
2 combination of raw and processed material that is intended for
3 human consumption.

4 "Genetically engineered material" means material derived
5 from any part of a genetically engineered organism even if the
6 altered molecular or cellular characteristics of the organism
7 cannot be detected in the material.

8 "Genetically engineered organism" includes any organism:

- 9 (1) Altered at the nucleic-acid level using the techniques
10 collectively referred to as recombinant
11 deoxyribonucleic acid technology;
- 12 (2) Developed through sexual or asexual reproduction, or
13 both, involving an organism that has been altered at
14 the nucleic acid level using recombinant
15 deoxyribonucleic acid technology, if it possesses the
16 characteristics intentionally brought about by the
17 original alteration;
- 18 (3) Derived from an organism that has been injected or
19 treated with genetically engineered material, except
20 for the use of a fertilizer to produce a raw
21 agricultural commodity; or

____.B. NO. _____

1 (4) Derived from an animal that has been fed genetically
2 engineered material.

3 (c) This section shall not apply to food that is:

4 (1) Served in restaurants or other establishments in which
5 food is served for immediate human consumption; or

6 (2) Medical food, as defined in section 346-67.

7 (d) Any person who violates this section, or any rule
8 adopted pursuant to this section, shall be fined not more than
9 \$1,000 for each offense. Each date of violation shall
10 constitute a separate offense. Any action taken to impose or
11 collect the penalty provided for in this subsection shall be
12 considered a civil action.

13 (e) The director of health shall adopt rules pursuant to
14 chapter 91 that are necessary to effectuate the purposes of this
15 section, including rules for the testing of foods to determine
16 whether the food is a genetically engineered food product."

17 SECTION 2. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon approval.

19
20 INTRODUCED BY: _____